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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,878	02/17/2005	Kurt Johannes Weschenfelder	W1.1882 PCT-US	5620

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EXAMINER

EVANISKO, LESLIE J

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/524,878	WESCHENFELDER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Leslie J. Evanisko	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 61-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 61-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>02-17-2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### **Drawings**

2. The drawings are objected to because of the following minor informality: it appears the lead line for reference numeral 17 in Figure 3 is designating the wrong surface of the groove since 17 is defined in the specification in paragraph [019] on page 11 as "the second wall 17 of the opening 07". It is noted that 17 is shown designating the more accurate location of the structure in Figure 1, for example.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the arrangement of six dressing arranged side-by-side in the axial direction of the cylinder as recited in claim 68 and the arrangement of two dressings in the circumferential direction of the cylinder as recited in claim 69 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Specification**

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### **Claim Objections**

5. Claims 68-69 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. In particular, neither the dressings nor the cylinder appear to be part of the claimed combination of the device and therefore claims 68-69 which provide further limitations regarding the dressing arrangement on the cylinder are improper since they fail to further limit the structure of the device as previously recited.

6. Claims 66 and 72-73 are objected to because of the following informalities:

With respect to claims 66 and 72 in particular, the claim language "each rolling element is one of a roll and a roller" is confusing because it is not clear what the structural difference is between the recited terms "roll" and "roller".

With respect to claim 73, it appears the term --one-- should be inserted after “least” in line 2 to provide consistent terminology throughout the claims. Additionally, the recitation of the at least one roll in the last two lines of the claim is somewhat confusing with respect to how that relates to the roll or roller pressing elements previously recited. To correct this problem, it is suggested the last two lines of claim 73 be deleted and replaced with language such as the following: --providing a plurality of second supports connected to said first support, each of said plurality of second supports supporting at least one roll forming said at least one second pressing element--

Appropriate correction and/or clarification is required.

### **Claim Rejections - 35 USC § 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 61-73 are rejected under 35 U.S.C. 102(a) as being anticipated by Herbert et al. (WO 03/031179 A2). \*\*Since this PCT document is not in the English language, the Examiner relied upon the corresponding U.S. Patent Application Publication 2004/0244615 A1 for an English language equivalent to determine the specific nature of what is taught by WO 03/031179 A2.

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Herbert et al. teach a device comprising a plurality of first pressing elements 53, a plurality of second pressing elements 54, and means for moving at least a partial number of the first and second pressing elements against and away from at least one dressing on the cylinder independently of remaining ones of the plurality of first and second pressing elements. See Figure 7 in particular.

With respect to claim 64, note Herbert et al. teach pneumatically operable actuating elements 57, 58 cooperating with the first and second pressing elements for selectively moving the pressing elements against and away from the cylinder.

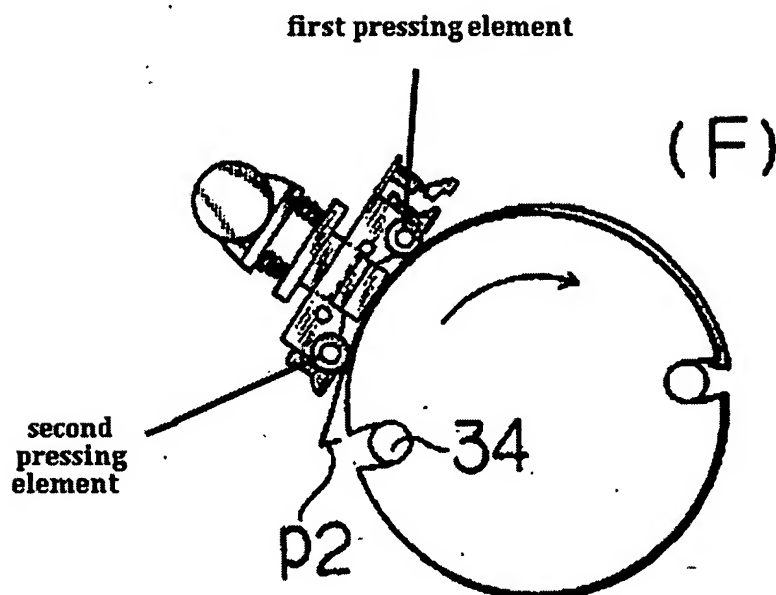
With respect to claim 65-66, note Herbert et al. teach the first and second pressing elements 53, 54 are rolling elements including a roll or roller.

With respect to claim 67, note Herbert et al. teach at least a first support for the first pressing elements and a plurality of second supports for the second pressing elements, the plurality of second supports being arranged on the first support.

With respect to claims 70-73, Herbert et al. teach a method for pressing a dressing on a cylinder including providing at least first and second roller pressing elements 53, 54 supported on first and second supports as recited, providing suspension legs at the ends of the dressings, providing at least one axially extending opening in the cylinder, inserting a leading one of the legs into the opening, rotating the cylinder, and using the second pressing element to press a trailing end leg into the opening. See Figure 7 in particular.

9. Claims 70-72 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki et al. (US 4,727,807). Suzuki et al. teach a method for pressing a dressing P on a cylinder A of a printing press comprising: providing at least one first pressing element positioned adjacent a surface of the cylinder, providing at least one second pressing element positioned adjacent the surface of the cylinder, spacing the first and second pressing elements apart from each other in a circumferential direction of the cylinder with the first pressing element leading and the second pressing element trailing in a production direction of rotation of the cylinder, providing suspension legs P1, P2 beveled off at ends of the dressing, providing at least one axially extending, dressing suspension leg receiving opening a1 in the surface of the cylinder, inserting a leading one of the dressing suspension legs into the opening (Fig. 8(D)), rotating the cylinder in the production direction (Figs 8(E), 8(F)), and using the second pressing element for pressing a trailing one of the dressing suspension legs into the opening (Fig. 8(G)). Particular attention is invited to Figures 8(A)-8(G) of Suzuki et al. and specifically, the marked up copy of Figure 8(F) shown below.





With respect to claims 71-72, note the pressing elements including rollers 15 as shown in Figures 1-5 and 8(A)-8(G).

### Conclusion


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kusch et al. (US 5,738,015) teaches a device and method for pressing a dressing on a print cylinder having obvious similarities to the claimed subject matter.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on T-F 8:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854

lje  
October 1, 2006